

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ANGEL VARGAS, FELIX BONILLA, RYAN MCKENZIE,
BERNARDO RAMIREZ and SIMON NORALES,

Plaintiffs

-Against-

MIDTOWN AIR CONDITION AND
VENTILATION, LTD.,

Defendant

-----X

AFFIRMATION OF
AMBROSE WOTORSON
IN OPPOSITION TO
DEFENDANT'S MOTION
FOR SUMMARY
JUDGMENT
07-Civ-3343

AMBROSE W. WOTORSON, an attorney duly admitted to practice law in this State and before this Court, affirms under penalty perjury that:

- a. I am counsel for plaintiff in the above styled-matter.
- b. This affirmation is submitted in support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment. Annexed herewith are true copies of exhibits in support of Plaintiff's Opposition to Defendant's Motion for Summary Judgment.

- Exhibit 1.** Letter from Frederick Buchheit, Business Representative Local Union 28 to Martin Moran dated April 22, 2005.
- Exhibit 2.** Completed Form of Angel Vargas from the Office of the Comptroller stamped July 6, 2005.
- Exhibit 3.** Acknowledgement of Complaint of Angel Vargas dated July 13, 2005. (AWW000331)
- Exhibit 4.** Completed Form of Ryan McKenzie from the Office of the Comptroller stamped July 21, 2005
- Exhibit 5.** Completed Form of Simon Norales from the Office of the Comptroller stamped July 28, 2005.

- Exhibit 6.** Completed Form of Felix Bonilla from the Office of the Comptroller stamped July 28, 2005
- Exhibit 7.** Completed Form of Bernardo Ramirez from the Office of the Comptroller stamped July 28, 2005.
- Exhibit 8.** Letter from Ilya Brodsky to Angel Vargas dated August 4, 2005. (MACV 00172).
- Exhibit 9.** Memorandum from Ilya Brodsky to Angel Vargas dated August 5, 2005.(AWW000164).
- Exhibit 10.** Memorandum from Ilya Brodsky to Mr. Norales dated August 5, 2005. (AWW000527).
- Exhibit 11.** Letter from Angel Vargas to Ilya Brodsky dated August 9, 2005. (AWW000167).
- Exhibit 12.** Letter from Ilya Brodsky to Simeon Norales dated September 1, 2005. (MACV 00007).
- Exhibit 13.** Letter from Ilya Brodsky regarding: Angel Vargas dated September 22, 2005. (MACV 00173).
- Exhibit 14.** Letter from William Bennett to Ilya Brodsky dated November 16, 2005. (MACV 00016).
- Exhibit 15.** Letter from William Bennett to Ilya Brodsky dated November 21, 2005. (MACV 00174).
- Exhibit 16.** Letter from Leon Ditinsky to Angel Vargas dated January 25, 2006. (AWW000165).
- Exhibit 17.** Disciplinary Memorandum from Ilya Brodsky to Simon Norales dated February 2, 2006 (MACV 00008 to 00009).
- Exhibit 18.** List of Names and Signatures at Company Meeting dated February 2, 2006. (AWW000488).
- Exhibit 19.** Disciplinary Memorandum from Management to Angel Vargas dated February 17, 2006 (AWW000166).
- Exhibit 20.** Memorandum to All Employees from Management dated February 17, 2005 (AWW000518).
- Exhibit 21.** Disciplinary Memorandum from Management, regarding:

Bernardo Ramirez dated February 17, 2006 (MACV 00030).

- Exhibit 22.** Disciplinary Memorandum from Management, regarding: Simon Norales dated February 17, 2006 (MACV 00015).
- Exhibit 23.** Excerpts of the Deposition Transcript of Ilya Brodsky dated December 5, 2007.
- Exhibit 24.** Excerpts of the Deposition Transcript of Roman Liberstein dated January 8, 2008.
- Exhibit 25.** Unsigned Stipulation of Settlement. (MACV 00217-221).
- Exhibit 26.** List of Employee Names and Telephone Number (AWW000169).
- Exhibit 27.** Affidavit of Angel Vargas.
- Exhibit 28.** Affidavit of Simon Norales.
- Exhibit 29.** Affidavit of Ryan McKenzie.
- Exhibit 30.** Affidavit of Bernardo Ramirez.
- Exhibit 31.** Affidavit of Felix Bonilla.

Dated: Brooklyn, New York
May 12, 2008

Respectfully Submitted,
Law Offices of Ambrose W. Wotorson
By: _____/s/_____
Law Offices of Ambrose W. Wotorson
26 Court Street, Suite 1811
Brooklyn, New York 11242

(718) 797-4861